

COUNTY OF MONTGOMERY

AFFIDAVIT

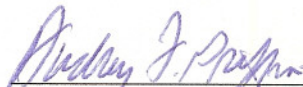
The undersigned, being first duly sworn, deposes and says:

I, ROBERT G. SMITH, am employed by the Army Air Force Exchange Service (AAFES) at Maxwell Air Force Base as a store detective. On or about 14 November 2006, via closed circuit monitors, I observed CHARLES H. HINES in the video game section of the store's power zone with a Play Station 2 video game in his hand. I observed him strip the cellophane cover off the game, remove the disk and booklet from the package, put the pair in his pants pocket, and return the empty package to the display. He then left the store without paying for anything. I detained him in the lobby area, identified him and escorted him to the security office. Security Forces was called and responded. While waiting for Security Forces to arrive, HINES voluntarily gave up the disk and booklet and offered to pay for the game. The game was identified as "Smackdown vs Raw 2007" and was valued at \$49.95. Once Security Forces arrived, HINES was advised of his rights in accordance with 5th Amendment of the United States Constitution. HINES acknowledged his rights and made a statement.



ROBERT G. SMITH

Subscribed and sworn to before me this 9th day of March, 2007.



AUDREY F. GRIFFIN
Notary Public
State of Alabama

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 19, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS